

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

HILLSBORO FEED COMPANY, a Washington Corporation; and SUSAN HILLIARD, an individual residing in Washington,

Plaintiffs,

vs.

CHRIS BIRO, an unmarried individual residing in New Mexico,

Defendant.

2:13-cv-00405-PJK-LAM

ORDER and NOTICE of HEARING

THIS MATTER comes on for consideration of the Entry of Special Appearance filed June 17, 2013 by William Salmon on behalf of Defendant Biro. (Doc. 23). The distinction between special and general appearances has been abolished given Fed. R. Civ. P. 12. See Investors Royalty Co. v. Mkt. Trend Survey, Inc., 206 F.2d 108, 111 (10th Cir. 1953); Kiro v. Moore, 229 F.R.D. 228, 231 n.4 (D.N.M. 2005). Defendant and counsel are hereby notified that the local rules do not contemplate a special appearance except by court order. See D.N.M. LR-Civ. 83.4(c). Defendant and counsel are also notified of the preliminary injunction hearing on Tuesday, June 18, 2013 at 10:00 a.m. at the United States Courthouse, 106 South Federal Place, Santa Fe, New Mexico, and that this motion may be addressed at that hearing.

IT IS SO ORDERED.

DATED this 17th day of June 2013 at Santa Fe, New Mexico.



United States Circuit Judge
Sitting by Designation